



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

APR 15 2014

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-133

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. Ken Tippet
Fleet Manager
Coastal Villages Longline, LLC
5470 Shilshole Avenue NW, Suite 400
Seattle, Washington 98107

Mr. Frank Vargas
Fleet and Regulatory Manager
American Seafoods Company, LLC
2025 First Avenue, Suite 900
Seattle, Washington 98121

Re: F/V North Cape
NPDES Permit Numbers AKG524016 and AKG520338

Dear Mr. Tippet and Mr. Vargas:

Effective March 1, 2010, the U.S. Environmental Protection Agency (EPA) covered Coastal Villages Longline, LLC, F/V North Cape (Vessel), under the General NPDES Permit for *Offshore Seafood Processors NPDES General Permit* (Offshore Permit), with unique identifier #AKG524016. Prior to that time, EPA covered the Vessel under the *Seafood Processors in Alaska General Permit* (Alaska Permit), with unique identifier #AKG520338. According to Frank Vargas' February 13, 2013 letter, American Seafoods Company, LLC, operated the Vessel until December 31, 2012, and Coastal Villages Longline, LLC, has been operating the Vessel since January 1, 2013. The purpose of this letter is to notify you of violations that EPA discovered from a review of administrative records and an inspection conducted on November 22, 2013. The purpose of the inspection was to determine the Vessel's compliance with the requirements of the Clean Water Act (CWA) and the Permits.

OFFSHORE PERMIT VIOLATIONS

- 1) Sections V.A.16, VI.B.2.j and VI.D of the Offshore Permit require the permittee to conduct quarterly metals' sampling for at least two years starting the third quarter after receiving authorization to discharge. The Vessel had authorization to discharge beginning March 1, 2010, thus quarterly metals' sampling was required starting the third quarter of 2010. The Fourth Quarter, 2011 Discharge Monitoring Report (DMR) states that influent/effluent sampling was not conducted due to logistical difficulties. In addition, the 2012 Annual Report lists the Fourth Quarter DMR as "Not Available" and no lab or chain of custody reports are available for this quarter. Failure to conduct metals' sampling during the fourth quarters of 2011 and 2012 are violations of Sections V.A.16, VI.B.2.j and VI.D of the Offshore Permit.

- 2) Section VII.B of the Offshore Permit states that metals monitoring must be summarized and submitted to EPA by February 14th of the following year. The DMR for the fourth quarter of 2011 was signed and dated March 28, 2012. Submitting a metal monitoring summary later than February 14th of the following year is a violation of Section VII.B of the Offshore Permit.
- 3) Section VI.B.2.h of the Offshore Permit requires the permittee to submit at least four labeled representative pictures including the grinder system while in operation, the sampling port while taking the daily sample, the effluent (showing residue size), and the outfall system while in operation. The 2010 and 2012 Annual Reports did not include representative pictures. These are violations of Section VI.B.2.h of the Offshore Permit.
- 4) Sections V.A.4 and V.A.5 of the Offshore Permit state that the waste conveyance and grinder systems must be inspected daily, and logs of those inspections kept. Section VI.C of the Offshore Permit states that the sea surface must be inspected daily for compliance with water quality criteria and species of concern, and logs of these observations kept. At the time of the inspection, neither of your companies were able to provide past monitoring records or daily logs for March of 2010. Failure to monitor the waste conveyance and grinder systems daily, as well as observe sea surface conditions, and/or keep logs of these monitoring activities are violations of Sections V.A.4, V.A.5 and VI.C of the Offshore Permit for each day of operation/discharge. The 2010 Annual Report states that the Vessel discharged 21 days in March of 2010. In the alternative, Section VII.F of the Offshore Permit requires that a permittee retain all monitoring records for a period of at least five years from the sampling date. Not retaining monitoring records for at least five years would be a violation of Section VII.F of the Offshore Permit.

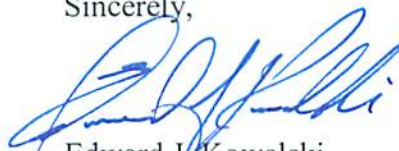
ALASKA PERMIT VIOLATIONS

- 1) Sections V.A.1.d and V.A.1.e of the Alaska Permit state that the waste conveyance and grinder systems must be inspected daily, and logs of those inspections kept. Section V.A.1.f of the Alaska Permit states that pre-operational checks of outfall must occur before each processing season, and logs of those inspections kept. At the time of the inspection, neither of your companies were able to provide past monitoring records or daily logs for January and February of 2010. Failure to monitor the waste conveyance and grinder systems daily and/or keep logs of these monitoring activities are violations of Sections V.A.1.d and V.A.1.e of the Alaska Permit for each day of operation/discharge. The 2010 Annual Report states that the Vessel discharged 49 days in January and February of 2010. Moreover, not conducting a pre-operational check of the outfall and keeping a log of that inspection is a violation of Section V.A.1.f of the Alaska Permit. In the alternative, Section VII.B of the Alaska Permit requires that a permittee retain all monitoring records for a period of at least five years from the sampling date. Not retaining monitoring records for at least five years would be a violation of Section VII.B of the Alaska Permit.

Although EPA's goal is to ensure NPDES facilities comply fully with their Permits, the ultimate responsibility rests with the operator of the Vessel. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this

letter, EPA retains all rights to pursue enforcement actions to address these and any other violations. Should you have any questions regarding this letter, please feel free to contact Chris Gebhardt, Compliance Officer, at (206) 553-0253.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. J. Kowalski", is written over the word "Sincerely,".

Edward J. Kowalski
Director

cc: Sharon Morgan
Alaska Department of Environmental Conservation